

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: JUNE 19, 2023. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 FAX: 406-444-9317 PHONE: 406-444-6999.

Application Number: 41I 30152338

Applicant: LEONARD H LAMBOTT
8715 US HIGHWAY 287
TOSTON, MT 59643 9603

PAMELA K LAMBOTT
8715 US HIGHWAY 287
TOSTON, MT 59643 9603

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41I 831-00	APRIL 1, 1870
Historical Flow Rate: 374.21 GPM	Historical Consumptive Volume: 64.90 AC-FT	
	Historical Diverted Volume: 132.00 AC-FT	

PAST USE OF WATER

CLAIM 41I 831-00 HISTORICALLY DIVERTED WATER FROM DEEP CREEK FOR THE PURPOSE OF IRRIGATION. THE POINT OF DIVERSION WAS A HEADGATE AT THE HIGH WATER SPILL DITCH, LOCATED IN SWSWSE SECTION 3, T06N, R02E, IN BROADWATER COUNTY. THE BROADWATER-MISSOURI EAST SIDE CANAL WAS USED AS A SECONDARY CARRIER/MEANS OF CONVEYANCE. THE IRRIGATION PLACE OF USE CONSISTED OF 103 ACRES IN THE SE OF SECTION 21, T07N, R02E, IN BROADWATER COUNTY. THE HISTORICAL USE OF THIS WATER RIGHT WAS A MAXIMUM FLOW RATE OF 374.21 GPM, A DIVERTED VOLUME OF 132.0 AF, AND A CONSUMED VOLUME OF 64.9 AF. THE HISTORIC PERIOD OF DIVERSION AND USE WAS 5/1-7/19. THE HISTORIC PLACE OF USE RECEIVED SUPPLEMENTAL CONTRACT WATER FROM THE BROADWATER-MISSOURI WATER USER'S ASSOCIATION.

PROPOSED CHANGE

FLOW RATE: 374.21 GPM **VOLUME:** 92.70 AC-FT **ACRES:** 264.70

THE APPLICANT PROPOSES TO CHANGE THE IRRIGATION PLACE OF USE OF CLAIM 41I 831-00 TO 264.7 ACRES IN SECTION 21, T07N, R02E, IN BROADWATER COUNTY. THE PROPOSED PLACE OF USE INCLUDES THE FOLLOWING ACRES, ALL WITHIN SECTION 21, T07N, R02E:

- 80 ACRES IN THE E2SW
- 3.7 ACRES IN THE E2SWSW
- 77 ACRES IN THE E2NW
- 80 ACRES IN THE W2NE
- 24 ACRES IN THE W2E2NE

THE PROPOSED 264.7 ACRES INCLUDE 181 ACRES WHICH ARE CURRENTLY IRRIGATED BY CLAIM 41I 30913-00 AND 83.7 ACRES WHICH DO NOT HAVE ANY APPURTENANT PRIVATE WATER RIGHTS. THE PURPOSE OF THE PROPOSED CHANGE IS TO LESSEN THE APPLICANT'S RELIANCE ON CONTRACT WATER FROM THE BROADWATER-MISSOURI WATER USER'S ASSOCIATION (BMWUA). ASIDE FROM THE PLACE OF USE, NO OTHER ELEMENTS OF THE WATER RIGHT ARE PROPOSED FOR CHANGE.

THE APPLICANTS PROPOSE TO USE A MAXIMUM FLOW RATE OF 374.21 GPM, UP TO A DIVERTED VOLUME OF 92.7 AF. ALL OF THE PROPOSED 264.7 ACRES ARE WITHIN THE SERVICE AREA FOR THE BMWUA AND WILL RECEIVE SUPPLEMENTAL CONTRACT WATER AS NEEDED.

ADDITIONAL INFORMATION

THIS AUTHORIZATION WILL BE SUBJECT TO THE FOLLOWING MEASUREMENT CONDITION:

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED MEASURING DEVICE AT OR NEAR THE POINT OF DIVERSION.THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO THAT THEY ARE ABLE TO

RECORD FLOW RATE AND VOLUME OF ALL WATER DIVERTED. MEASUREMENT RECORDS SHALL BE SUBMITTED EACH YEAR UNTIL THE CHANGE AUTHORIZATION IS PERFECTED AND THE DEPARTMENT RECEIVES A PROJECT COMPLETION NOTICE, AND UPON REQUEST THEREAFTER. IF AFTER PROJECT COMPLETION THE DEPARTMENT NOTIFIES THE APPROPRIATOR THAT RECORDS ARE REQUIRED TO BE SUBMITTED, FAILURE TO SUBMIT RECORDS IN A TIMELY FASHION UPON REQUEST MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

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